

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MARK P. CIANFRANI

Plaintiff,

v.

DR. MIGUEL CARDONA,  
SECRETARY, *et al.*,

Defendants.

CIVIL ACTION NO. 21-1757

**ORDER**

**AND NOW**, this 8th day of August 2022, upon consideration of Defendant United States Department of Education's Motion for Summary Judgment [Doc. No. 6], the opposition thereto, and Plaintiff's Motion for Summary Judgment [Doc. No. 8], it is hereby **ORDERED** that Defendant's motion is **GRANTED** and Plaintiff's motion is **DENIED**.

It is further **ORDERED** that, upon review of the docket and noting that it appears Defendant FMS Investment Corp. was never served, Plaintiff is hereby **ORDERED** to show cause no later than **August 22, 2022** why the Court should not dismiss Plaintiff's claims against FMS Investment Corp. for failure to prosecute.

It is so **ORDERED**.

**BY THE COURT:**

/s/ Cynthia M. Rufe

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**CYNTHIA M. RUFÉ, J.**